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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

EFREN RODRIGUEZ,

Defendant.

Case No.: CR 03-00156 WHA

**UNOPPOSED MOTION FOR
MODIFICATION OF DEFENDANT'S
CONDITIONS OF SUPERVISED
RELEASE AND ~~PROPOSED~~ ORDER**

Defendant Efren Rodriguez, by and through his counsel Brandon LeBlanc and the Office of the Federal Public Defender, in collaboration with attorney Nancy Martin (Mr. Rodriguez's local counsel in Connecticut), hereby moves, pursuant to 18 U.S.C. § 3583 and U.S.S.G. 5F1.2(e)(2), for a modification of his conditions of supervised release. Specifically, Mr. Rodriguez, an employed U.S. citizen, moves the Court to modify his conditions and permit him to travel to the Republic of Mexico in the upcoming months in order to visit his elderly, ailing father and to attend to other matters as necessary there. *See Exhibit A: Affidavit of Efren Rodriguez.*

Assistant United States Attorney Waqar Hasib was contacted with regards to this motion and indicated that the United States does not oppose this requested modification.

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BACKGROUND

In May 2003, a grand jury in the Northern District of California issued a multi-count indictment charging Mr. Rodriguez and his confederates with myriad methamphetamine trafficking-related offenses. *See* Docket Entry No. 1. In September 2005, a jury found Mr. Rodriguez guilty of such offenses and this Court subsequently sentenced him to 108 months in the custody of the Bureau of Prisons (“BOP”). *See* Docket Entry No. 341; Exhibit A: *Affidavit of Efren Rodriguez*; Exhibit B: *Judgment*.

Mr. Rodriguez was released from BOP custody on December 28, 2013 and initially lived in Redding, California. *See* Exhibit A: *Affidavit of Efren Rodriguez*. Less than six months later, in early May 2014, Mr. Rodriguez relocated to the state of Connecticut. Since relocating to Connecticut, he has been supervised by a United States Probation Officer in that district, Robert Bouffard. In Connecticut, Mr. Rodriguez is currently employed at a Mexican food restaurant in the town of Orange.

At present, Mr. Rodriguez has successfully completed approximately fifteen months of his sixty-month term of supervised release. Although he has several years of his supervised release term to still complete, he respectfully urges this Court to modify his conditions of release and allow him to travel to the Republic of Mexico to visit his father there and to attend to his duties as the executor of his father’s estate. *See* Exhibit A: *Affidavit of Efren Rodriguez*; Exhibit C: *Medical Support*; Exhibit D: *Estate Documentation*. Mr. Rodriguez has not seen his father in 11 years and his father’s health is failing. *Id.*

To accomplish this, Mr. Rodriguez asks that, if granted, the Court allow him at least two weeks in Mexico. While there, he will abide by any terms of supervision and reporting that the Court may impose.

Respectfully submitted,

STEVEN G. KALAR
Federal Public Defender

Dated: April 1, 2015

/s

BRANDON M. LeBLANC
Assistant Federal Public Defender

~~PROPOSED~~ ORDER


IT IS HEREBY ORDERED that Efren Rodriguez's terms of supervised release conditions are modified as follows:

1. Defendant Efren Rodriguez may travel to and from the Republic of Mexico between March 2015 and June 2015, for a period of at least two weeks;
2. Prior to his departure, Mr. Rodriguez must provide his travel itinerary to the United States Probation Office; and
3. While traveling out of the district, Mr. Rodriguez must communicate with the United States Pretrial Services Office as directed.

All other terms and conditions of Mr. Rodriguez's original terms and conditions of supervised release shall remain in place.

IT IS SO ORDERED.

Dated: April 13, 2015.


WILLIAM H. ALSUP
United States District Judge